

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

In re:

Case No. 21-11269-JKS

NLG, LLC,  
a Delaware LLC  
Debtor

Chapter 7 Pending Conversion to Chapter 11

CHRIS KOSACHUK

Plaintiff,

v.

Adversary Case No. 22-ap-50421-JKS

9197-5904 QUEBEC, INC.

&

SELECTIVE ADVISORS GROUP, LLC

Defendants.

**PLAINTIFF CHRIS KOSACHUK'S  
MOTION FOR SUMMARY JUDGMENT**

Chris Kosachuk ("Mr. Kosachuk"), *pro se*, in accordance with this Court's inherent authority, Rule 7056 of the Federal Rules of Bankruptcy Procedure and Rule 56 of the Federal Rules of Civil Procedure, files this Motion for Summary Judgment (the "Motion") as to Count I of the Complaint for Declaratory Judgment [D.I. 1] against 9197-5904 Quebec, Inc. ("Quebec") and Selective Advisors Group, LLC ("Selective").

Mr. Kosachuk incorporates by reference his affidavit in support with exhibits, his Brief and Memorandum of Law in Support of Motion for Summary Judgment with Exhibits and the Complaint for Declaratory Judgment and its exhibits as if fully rewritten herein.

FILED  
2022 NOV 17 PM 2:09  
CLERK  
U.S. BANKRUPTCY COURT  
DISTRICT OF DELAWARE

Dated: November 17, 2022

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Chris Kosachuk', written over a horizontal line.

Chris Kosachuk  
*Pro Se Plaintiff*  
854 Pheasant Run Rd.  
West Chester, PA 19382-8144  
(305) 490-5700  
[chriskosachuk@gmail.com](mailto:chriskosachuk@gmail.com)

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

In re:

Case No. 21-11269-JKS

NLG, LLC,  
a Delaware LLC  
Debtor

Chapter 7 Pending Conversion to Chapter 11

\_\_\_\_\_/

CHRIS KOSACHUK

Plaintiff

v.

Adversary Case No. 22-ap-50421-JKS

9197-5904 QUEBEC, INC.

&

SELECTIVE ADVISORS GROUP, LLC

Defendants

\_\_\_\_\_ /

**AFFIDAVIT OF CHRIS KOSACHUK IN SUPPORT OF  
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

STATE OF DELAWARE                    )  
  ) ss:  
COUNTY OF NEW CASTLE            )

CHRIS KOSACHUK, after being duly sworn, deposes and says under penalties for perjury:

1. I am the Plaintiff, the largest creditor and the owner of Debtor NLG, LLC, a Delaware limited liability company, (hereinafter "NLG"). As such, I am fully familiar with the facts and circumstances recited herein based upon my personal knowledge.

2. I submit this affidavit in support of Plaintiff's Motion for Summary Judgment.

Affidavit of Chris Kosachuk  
Case No. 22-ap-50421-JKS

3. I seek a declaratory judgment to cancel the \$5,000,225.00 indebtedness, *nunc pro tunc* to date of entry of February 22, 2012, caused by a certain Judgment by Confession for \$5,000,225.00 entered under Index No. 2012-101875 captioned as *9197-5904 Quebec, Inc. v. NLG, LLC* in the Supreme Court of New York, New York County on February 22, 2012, and assigned to Selective Advisors Group, LLC (the “Judgment by Confession” and attached hereto as Exhibit 1).

4. The Judgment by Confession was and is collusive, void *ab initio* and never entitled to full faith and credit under the Full Faith and Credit Act, 28 U.S.C. § 1738.

5. The Judgment by Confession for \$5,000,225.00 was obtained by 9197-5904 Quebec Inc. (herein “Quebec”) in a proceeding orchestrated by Attorney Darius A. Marzec. This Judgment by Confession was then assigned to Defendant, Selective Advisors Group, LLC (“Selective”), for no money.

6. The Judgment by Confession was obtained by Mr. Houle operating as the President of Plaintiff Quebec, while at the same time pretending to be the manager of Defendant NLG. Mr. Houle was not authorized to execute any affidavit on behalf of defendant NLG nor was Attorney Marzec authorized to notarize and record the affidavit of confession.

7. Judgments by Confession from New York are governed by NY CPLR § 3218 where the *defendant* executes an affidavit which meets the statutory requirements.

8. Here the Affidavit of Confession was executed by Plaintiff Quebec pretending to be Defendant NLG rendering it a product of collusion and void on its face.

9. NLG was never served with process in any way. In fact, NLG received no notice whatsoever prior to the entry of the Judgment by Confession and the New York State Court never obtained jurisdiction over NLG.

Affidavit of Chris Kosachuk  
Case No. 22-ap-50421-JKS

10. Additionally, NLG never owed any money to Quebec for anything. In fact, at Mr. Houle's deposition the following exchange occurred: "Q: Before you filed this Confession of Judgment against NLG, did NLG owed the Quebec Corporation any money? A: No". [See Transcript p. 45 lines 18-20, attached hereto as Exhibit 2].

11. Before Quebec and its Attorney Marzec recorded this Judgment by Confession, there had never been any litigation between NLG and Quebec. In the same deposition when asked why he filed the Judgment by Confession, Mr. Houle answer "Because of five years of process of fraud by Mr. Kosachuk". [See Transcript p. 44 lines 6-7].

12. Even after the Judgment by Confession was entered, NLG never received notice because the address used by Mr. Houle for NLG in the affidavit of confession (6499 North Powerline Rd, Suite 304, Ft. Lauderdale, FL 33309) was and is actually the address of Quebec's attorney, Arthur R. Rosenberg, an address guaranteed not to provide actual notice to NLG. Mr. Kosachuk and NLG did not learn of the judgment until more than a year had elapsed after its entry.

13. Moreover, Mr. Houle was never a duly elected manager or representative of NLG and he did not have authorization to execute the affidavit of confession on behalf of NLG to create to the Judgment by Confession.

14. The documents attached to the Complaint clearly show that Mr. Houle was acting for Plaintiff Quebec and Defendant NLG when he confessed judgment on behalf of Defendant NLG. [D.I. 1 to 1-5].

15. The foregoing facts show that the Judgment by Confession is collusive, not entitled to full faith and credit and void on its face as a matter of law.

Affidavit of Chris Kosachuk  
Case No. 22-ap-50421-JKS

16. NLG's rights to due process and an opportunity to be heard were violated. Indeed, the New York State Court never obtain personal jurisdiction over NLG. Innocent third parties have all been harmed by this void Judgment by Confession.

17. Additionally, the Judgment by Confession does not comply with the New York CPLR for Judgments by Confession. The relevant statute, NY CPLR § 3218(a) requires that the Affidavit of the Defendant state "the facts out of which the **debt** arose and showing that the sum confessed is justly due or to become due." (Emph. added). The affidavit at issue contains none of the required information.

18. Moreover, NLG never owed any money to Quebec and the Affidavit signed by Mr. Houle, pretending to to act for NLG, makes clear that the confession is not for a **debt** but for a tort: "Fraud and Abuse of Process," which is specifically prohibited under New York law.

19. It is well-established law that the Confession of Judgment statute "allows no confession of a judgment for a tort". *Burkham v. Van Saun*, 14 Abb. Pr. 163, 1873 N.Y. Misc. LEXIS 92 (N.Y. App. 1<sup>st</sup> Dist. 1873). As the court stated in *Franklin v. Muckley*, 189 Misc. 155, 70 N.Y.S.2d 815 (1947): "The rule that confession of a judgment for a tort is not authorized is ancient and well established."

20. These facts were all confirmed in a New York Court Order, attached hereto as Exhibit 3, which found that the Judgment by Confession "was entered without jurisdiction, without service of process, without any due process, and collusive as the affidavit confessing the judgment was signed by the President of the Plaintiff corporation."

21. Unfortunately, this order is now before the Appellate Division First Department with oral argument scheduled for the November 2022 term because Selective continues to defend this void Judgment by Confession.

Affidavit of Chris Kosachuk  
Case No. 22-ap-50421-JKS

22. Under these circumstances, the Complaint for Declaratory Judgment to cancel the \$5,000,225.00 indebtedness, *nunc pro tunc* to date of entry of February 22, 2012, caused by a certain Judgment by Confession for \$5,000,225.00 entered under Index No. 2012-101875 captioned as *9197-5904 Quebec, Inc. v. NLG, LLC* in the Supreme Court of New York, New York County on February 22, 2012, and assigned to Selective Advisors Group, LLC (the “Judgment by Confession”) should be granted in its entirety pursuant to Plaintiffs’ Motion for Summary Judgment.

23. The primary purpose of bankruptcy law is to relieve the debtor from the burden of indebtedness. *Perez v. Campbell*, 402 U.S. 637, 648 (1971). This case is the poster child to relieve a debtor of the burden of indebtedness caused by the void Judgment by Confession.

**WHEREFORE**, for all the foregoing reasons, the Verified Motion for Summary Judgment should be granted in its entirety.

Pursuant to 28 U.S.C. 1746, I declare under the penalty of perjury that the foregoing affidavit and motion for summary judgment are true and correct.

Executed on: November 17, 2022

Respectfully submitted,



---

Chris Kosachuk  
*Pro Se Plaintiff*  
854 Pheasant Run Rd.  
West Chester, PA 19382-8144  
(305) 490-5700  
chriskosachuk@gmail.com

# EXHIBIT 1

“Judgment by Confession”

also known as

The “Quebec Judgment”



**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

**Address of Plaintiff:**  
3765 Saint-Kevin, Ste 9  
Montreal, Quebec H3T 1H8  
Canada

9197-5904 Quebec, Inc.

**Plaintiff,**

Index No.:

**JUDGMENT BY  
CONFESSION**

**against**

NLG, LLC, a Delaware Limited Liability Company,

**Defendant.**

**12101875**

Amount Confessed	\$5,000,000.00	
Interest	\$0.00	\$ 5,000,000.00
Costs by Statute	\$15.00	
Transcript		
Fees on Execution		
Satisfaction		
Filing Fee	\$210.00	\$ 5,000,225.00

The undersigned, Attorney at Law of the State of New York, affirms that he is the attorney of record for the Plaintiff herein and states that the disbursements specified are correct and true and have been or will necessarily be made or incurred herein and are reasonable in amount and affirms this statement to be true under the penalties of perjury.

Dated: February 16, 2012

**MARZEC LAW FIRM, PC**

**I HEREBY CERTIFY THAT I HAVE  
ADJUSTED THIS BILL OF COSTS AT  
\$ 225.00**

**FEB 22 2012**

**CLERK**

Darius A. Marzec, Esq.  
Attorney for Plaintiff  
225 Broadway, Suite 3000  
New York, NY 10007  
(212) 267-0200

**FILED**

**FEB 22 2012**

**COUNTY CLERK'S OFFICE  
NEW YORK**

JUDGMENT entered the 22<sup>nd</sup> day of February, 2012

On the foregoing affidavit of Confession of Judgment made by the defendant herein,  
sworn to the on the 16th day of February 2012,

NOW, ON MOTION OF MARZEC LAW FIRM, PC, attorney for plaintiff, it is

ADJUDGED that 9197-5904 Quebec, Inc. Plaintiff, with the address of 3765 Saint-Kevin, Suite 9, Monteval, Quebec H3T 1H8, Canada, do recover of NLG, LLC\*, Defendant, with the address of 6499 North Powerline Road, Suite 304, Fort Lauderdale, Florida 33309, the sum of \$5,000,000.00 with interest of \$0.00, making a total sum of \$5,000,000.00 together with \$225.00 costs and disbursements, as taxed by the clerk amounting in all to the sum of \$5,000,225.00 and that the plaintiff have execution therefor.

Norman Goodman  
CLERK

**FILED**

FEB 22 2012

COUNTY CLERK'S OFFICE  
NEW YORK

\* Defendant's full name is:  
NLG, LLC, a Delaware Limited  
Liability Company

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

Index No. 10185/12

9197-5904 Quebec, Inc.,

**Plaintiff,**

**against**

NLG, LLC, A DELAWARE LIMITED  
LIABILITY COMPANY,

**Defendant.**

**AFFIDAVIT OF  
CONFESSION OF  
JUDGMENT**

**FILED**

FEB 22 2012

COUNTY CLERK'S OFFICE  
NEW YORK

STATE OF NEW YORK

COUNTY OF NEW YORK

ss.:

Raymond Houle, being duly sworn, deposes and says; that deponent is the Manager and duly authorized agent of the defendant Limited Liability Company and is duly authorized to make this Affidavit on behalf of the LLC defendant herein.

The defendant hereby confesses judgment herein and authorizes entry thereof against defendant in the sum of \$5,000,000.00.

Defendant's address is 6499 North Powerline Road, Suite 304, Fort Lauderdale, Florida 33309; Defendant authorizes entry of judgment in New York County, New York, if said residence address is not in New York State.

This confession of judgment is for a debt justly due to the plaintiff arising from the following facts: Fraud and Abuse of Process.

This affidavit, if made in connection with an agreement for the purchase for \$1,500.00 or less of any commodities for any use other than a commercial or business use upon any plan of deferred payments whereby the price or cost is payable in two or more installments, was executed, subsequent to the time a default occurred in the payment of an installment thereunder.

Sworn to before me this  
16 day of February, 2012

.....*Raymond Houle*.....  
9197-5904 Quebec, Inc. by Raymond Houle, Manager  
MEMBER, NLG LLC

Darius A. Marzec  
Notary Public State of New York  
No. 02MA6186309  
Qualified in Queens County  
Commission Expires 04/28/2012

*[Signature]*  
NOTARY PUBLIC

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

Index No. *1d 875/12*

9197-5904 Quebec, Inc.,

**Plaintiff,**

**against**

NLG, LLC,

**Defendant.**

**AFFIDAVIT OF  
RAYMOND HOULE  
REGARDING FACTS  
SUPPORTING  
JUDGMENT**

STATE OF NEW YORK

COUNTY OF NEW YORK

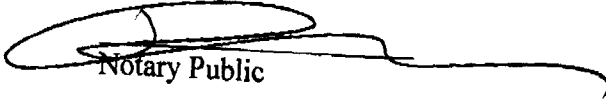
**ss.:**

Raymond Houle, being duly sworn, deposes and says; that deponent is the Manager and duly authorized agent of the defendant Limited Liability Company and is duly authorized to make this Affidavit on behalf of the LLC defendant herein.

This confession of judgment is for a debt justly due to the plaintiff arising from the following facts: Defendant has consistently abused its legal position by filing frivolous litigation documents, affidavits, pleadings, and motions, in and without the state, misrepresenting the truth concerning key facts regarding the mode of operation, personnel, employees, corporate documents and status of defendant; Defendant has failed to abide by rules of court with respect to discovery, disclosures and subpoena power of the court and counsel, and has made litigation process difficult, wasteful, and expensive to adversary/ies. All actions of Defendant constitute abuse of process and fraud upon the court and parties involved, who were unduly damaged by such fraudulent conduct and abuse of process by Defendant. The conduct of Defendant was intentional and malicious and calculated to cause additional expense, delay and harassment to defendant's adversaries; such conduct was illegal, improper, unethical and unnecessary to the administration of justice and process in these matters, giving Plaintiff a cause of action.

  
RAYMOND HOULE

Sworn to before me on the 21 day of February, 2012.

  
Notary Public

~~Darius A. Marzec  
Notary Public State of New York  
No. 02MA6186309  
Qualified in Queens County  
Commission Expires 04/28/20~~

Darius A. Marzec  
Notary Public State of New York  
No. 02MA6186309  
Qualified in Queens County  
Commission Expires 04/28/2012

**FILED**

FEB 22 2012

COUNTY CLERK'S OFFICE  
NEW YORK

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

Index No.

9197-5904 Quebec, Inc.,

**Plaintiff,**

**against**

NLG, LLC., A DELAWARE LIMITED LIABILITY  
COMPANY,

**Defendant.**

**JUDGMENT BY CONFESSION  
AFFIDAVIT OF JUDGMENT BY CONFESSION**

**ATTORNEYS FOR PLAINTIFF**

Marzec Law Firm, P.C.  
Darius A. Marzec, Esq.  
225 Broadway, Suite 3000  
New York, NY 10007  
212-267-0200

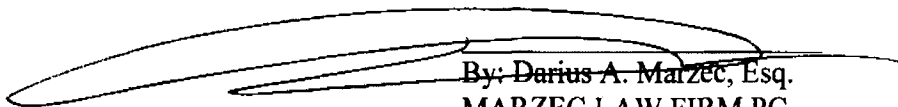
**FILED AND  
DOCKETED**

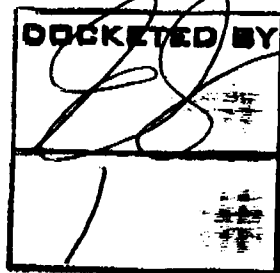
FEB 22 2012

AT 10:25 A M  
N.Y., CO. CLK'S OFFICE

**CERTIFICATION**

Pursuant to Section 130-1.1, the following documents are hereby certified:

By:  Darius A. Marzec, Esq.  
MARZEC LAW FIRM PC  
Attorneys for Plaintiff  
225 Broadway, Ste. 3000  
New York, NY 10007  
(212) 267-0200



# Exhibit 2

Raymond Houle Deposition Transcript 4/4/14

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY, PENNSYLVANIA

NLG, LLC,	)	
	)	
Plaintiff,	)	
	)	
	)	AUGUST TERM, 2012
VS.	)	NO. 02514
	)	
DARIUS A. MARZEC, MARZEC LAW	)	
FIRM, P.C., GUY A. DONATELLI,	)	
LAMB McERLANE, P.C., and	)	
9197-5904 Quebec, Inc.,	)	
	)	
Defendants.	)	

---

- - -  
FRIDAY, APRIL 4, 2014  
- - -

Telephonic deposition of RAYMOND HOULE, taken  
at the LAW OFFICES OF EDWIN P. SMITH, 1528 Walnut Street,  
Suite 702, Philadelphia, Pennsylvania, beginning at  
approximately 11:15 a.m., on the above date, before Carol L.  
Shearer, Registered Professional Reporter and Notary Public.

CENTER CITY REPORTING, INC.  
1315 Walnut Street - Suite 601  
Philadelphia, Pennsylvania 19107  
215-732-4882



1 A P P E A R A N C E S:

2

3

EDWIN P. SMITH & ASSOCIATES, P.C.

4

BY: EDWIN P. SMITH, ESQUIRE

1528 Walnut Street

5

Suite 702

Philadelphia, Pennsylvania 19102

6

(215) 864-7300

edwinsmith.attorney@yahoo.com

7

-- Representing the Plaintiff

8

9

KANE, PUGH, KNOELL, TROY & KRAMER, LLP

10

BY: PETER ROGERS, ESQUIRE

(Appearing Via Telephone)

11

510 Swede Street

Norristown, Pennsylvania 19401

12

(610) 275-2000

progers@kanepugh.com

13

14

-- Representing the Defendants

Darius A. Marzec and Marzec Law Firm, P.C.

15

16

LAMB McERLANE, P.C.

17

BY: GUY A. DONATELLI, ESQUIRE

(Appearing Via Telephone)

18

24 East Market Street

West Chester, Pennsylvania 19382

19

(610) 430-8000

gdonatelli@lambmcerlane.com

20

-- Representing the Defendants

21

Guy A. Donatelli and Lamb McErlane, P.C.

22

23

24

1 A P P E A R A N C E S (cont'd.):

2

3 MARZEC LAW FIRM  
4 BY: DARIUS A. MARZEC, ESQUIRE  
5 (Appearing Via Telephone)  
6 225 Broadway  
7 Suite 3000  
8 New York, New York 10007  
9 (212) 267-0200  
10 dmarzec@marzeclaw.com

11 -- Representing the Defendant 9197-5904 Quebec,  
12 Inc.

13

14

15

16 ALSO PRESENT: JUDITH P. MEYER, DISCOVERY MASTER

17

18

19

20

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1           **A.    No.**

2           Q.    Would you please look at H-9. This is a document  
3           from the Supreme Court of the State of New York, County of  
4           New York, in which Quebec Corporation was the Plaintiff and  
5           NLG was a Defendant. Have you ever seen this document  
6           before?

7           **A.    Yes, I did.**

8           Q.    When did you first see it?

9           **A.    I don't remember.**

10          Q.    Was it more than a month ago?

11          **A.    I don't remember.**

12          Q.    Was it last week, the first time you saw it?

13          **A.    No.**

14          Q.    Was it over a year ago that you first saw it?

15          **A.    I don't know. I think was two years ago.**

16          Q.    Who prepared that document? Who gave it to you?

17          **A.    Ten days -- ten days.**

18          Q.    Pardon me?

19          **A.    (Unintelligible) Marzec. It indicates on the**  
20          **document.**

21          Q.    You have to say that again. I don't understand what  
22          you just said. You said Mr. Marzec gave it to you, and then  
23          what did you say?

24          **A.    It says on the paper Mr. Marzec. (Inaudible)**

Q. Who asked you to have this document filed?

A. **Would you repeat.**

Q. Who asked you to have this document filed with the  
4 court?

A. **I asked my lawyer, Mr. Marzec, to prepare -- to  
6 prepare it.**

Q. Who asked you to have this document filed?

MR. MARZEC: Objection. Asked and answered. He  
8 said, I asked my lawyer to prepare it.

MR. SMITH: I didn't hear him say that.

THE WITNESS: I asked my lawyer to prepare it.  
12 Nobody else.

MR. SMITH: Ms. Meyer, may I ask that Mr. Marzec  
14 be instructed not to suggest answers as part of his  
15 objections or intermeddle his answers.

MS. MEYER: You are so instructed, Mr. Marzec.

17 BY MR. SMITH:

18 Q. Why did you have this document filed?

19 A. **Because for abuse (inaudible)**

20 COURT REPORTER: I'm sorry. Could you start  
21 your answer again, please.

22 THE WITNESS: (Inaudible.)

23 COURT REPORTER: I can't hear you.

24 BY MR. SMITH:

1 Q. Speak up, please. Put the phone near your mouth.

2 COURT REPORTER: Start your answer again.

3 THE WITNESS: Sorry.

4 BY MR. SMITH:

5 Q. Why did you have this document filed?

6 A. Yeah, it was filed for fraud and abuse of process  
7 and to collect our judgment.

8 Q. What judgment --

9 A. Because of five years of process of fraud by Mr.  
10 Kosachuk.

11 Q. And you filed that as -- and who -- strike that.

12 You filed this -- you allowed this to be filed as an  
13 agreement on behalf of NLG; is that correct?

14 A. (No response.)

15 Q. You represented NLG in filing this document; didn't  
16 you?

17 A. Are you referring to the charging order?

18 Q. Yes, and you represented NLG in filing this  
19 document; is that correct?

20 A. Yes. Indicated on it.

21 Q. And you indicated yourself as manager of NLG; is  
22 that correct?

23 A. Indicated. I don't --

24 Q. Okay. Look at the third page, please. It's an

Affidavit of Confession of Judgment signed by you -- that is your signature at the bottom?

**A. Which page?**

**Q. Third page.**

**A. I see it, yes.**

**Q. And it says manager of NLG. Who appointed you as manager of NLG?**

**A. By corporate resolution.**

COURT REPORTER: I'm sorry?

BY MR. SMITH:

**Q. By corporate resolution? What corporation?**

**A. That I did when Quebec took over NLG.**

**Q. What corporation issued the resolution?**

**A. You got a valid -- a valid charging order to do so. It's the Quebec company who make that resolution.**

**Q. Before you filed this, did NLG owe Quebec anything?**

**A. I don't understand very well.**

**Q. Before you filed this Confession of Judgment against NLG, did NLG owe Quebec Corporation any money?**

**A. No.**

**Q. Who selected the \$5 million figure?**

**A. I did.**

**Q. Did anyone assist you in selecting that amount?**

**A. No.**

Q. Now, if you'll look at the two pages past there,  
please.

A. Which page?

Q. Two more pages past.

A. Okay.

Q. At the top it has what appears to be your signature.  
I ask you if that is your signature.

A. I don't find the page. I don't know. Past or  
before?

Q. It's the fifth page of that exhibit.

A. Yes.

Q. Is that your signature?

A. Yes.

Q. And the notary is Darius A. Marzec; is that correct?

A. Yes.

Q. Was he with you when you signed this?

A. Yes.

Q. And were you in New York when you signed this?

A. Of course.

Q. Where in New York were you?

A. In his office.

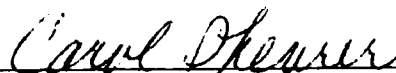
Q. And where was his office?

MR. MARZEC: I have to object --

THE WITNESS: In Brooklyn.

C E R T I F I C A T I O N .

I hereby certify that the  
proceedings, evidence and objections noted are contained  
fully and accurately in the notes taken by me in the hearing  
of the foregoing matter, and that this is a true and correct  
transcript of the same.



CAROL L. SHEARER, RPR

Stenographic Court Reporter

Notary Public.

(THE FOREGOING CERTIFICATION OF THIS  
TRANSCRIPT DOES NOT APPLY TO ANY REPRODUCTION OF THE SAME BY  
ANY MEANS, UNLESS UNDER THE DIRECT CONTROL AND/OR SUPERVISION  
OF THE CERTIFYING REPORTER.)



**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

**Address of Plaintiff:**  
3765 Saint-Kevin, Ste 9  
Montreal, Quebec H3T 1H8  
Canada

9197-5904 Quebec, Inc.

**Plaintiff,**

**Index No.:**

**JUDGMENT BY  
CONFESSION**

**against**

NLG, LLC, a Delaware Limited Liability Company,

**Defendant.**

**12101875**

Amount Confessed	\$5,000,000.00	
Interest	\$0.00	\$ 5,000,000.00
Costs by Statute	\$15.00	
Transcript		
Fees on Execution		
Satisfaction		
Filing Fee	\$210.00	\$ 5,000,225.00

The undersigned, Attorney at Law of the State of New York, affirms that he is the attorney of record for the Plaintiff herein and states that the disbursements specified are correct and true and have been or will necessarily be made or incurred herein and are reasonable in amount and affirms this statement to be true under the penalties of perjury.

Dated: February 16, 2012

**MARZEC LAW FIRM, PC**

**I HEREBY CERTIFY THAT I HAVE  
ADJUSTED THIS BILL OF COSTS AT  
\$ 225.00**

**FEB 22 2012**

**CLERK**

Darius A. Marzec, Esq.  
Attorney for Plaintiff  
225 Broadway, Suite 3000  
New York, NY 10007  
(212) 267-0200

**PLAINTIFF'S  
EXHIBIT**

**H-9**

**FILED**

**FEB 22 2012**

**COUNTY CLERK'S OFFICE  
NEW YORK**

JUDGMENT entered the 22<sup>nd</sup> day of February, 2012

On the foregoing affidavit of Confession of Judgment made by the defendant herein,  
sworn to the on the 16th day of February 2012,

NOW, ON MOTION OF MARZEC LAW FIRM, PC, attorney for plaintiff, it is

ADJUDGED that 9197-5904 Quebec, Inc. Plaintiff, with the address of 3765 Saint-Kevin, Suite 9, Montreal, Quebec H3T 1H8, Canada, do recover of NLG, LLC,\* Defendant, with the address of 6499 North Powerline Road, Suite 304, Fort Lauderdale, Florida 33309, the sum of \$5,000,000.00 with interest of \$0.00, making a total sum of \$5,000,000.00 together with \$225.00 costs and disbursements, as taxed by the clerk amounting in all to the sum of \$5,000,225.00 and that the plaintiff have execution therefor.

Norman Goodman  
CLERK

**FILED**

FEB 22 2012

COUNTY CLERK'S OFFICE  
NEW YORK

\* Defendant's full name is:  
NLG, LLC, a Delaware Limited  
Liability Company

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

Index No. 101875/12

9197-5904 Quebec, Inc.,

**Plaintiff,**

**AFFIDAVIT OF  
CONFESSION OF  
JUDGMENT**

**against**

NLG, LLC, A DELAWARE LIMITED  
LIABILITY COMPANY,  
**Defendant.**

**FILED**

FEB 22 2012

COUNTY CLERK'S OFFICE  
NEW YORK

STATE OF NEW YORK

COUNTY OF NEW YORK ss.:

Raymond Houle, being duly sworn, deposes and says; that deponent is the Manager and duly authorized agent of the defendant Limited Liability Company and is duly authorized to make this Affidavit on behalf of the LLC defendant herein.

The defendant hereby confesses judgment herein and authorizes entry thereof against defendant in the sum of \$5,000,000.00.

Defendant's address is 6499 North Powerline Road, Suite 304, Fort Lauderdale, Florida 33309; Defendant authorizes entry of judgment in New York County, New York, if said residence address is not in New York State.

This confession of judgment is for a debt justly due to the plaintiff arising from the following facts: Fraud and Abuse of Process.

This affidavit, if made in connection with an agreement for the purchase for \$1,500.00 or less of any commodities for any use other than a commercial or business use upon any plan of deferred payments whereby the price or cost is payable in two or more installments, was executed, subsequent to the time a default occurred in the payment of an installment thereunder.

Sworn to before me this  
16 day of February, 2012

.....  
9197-5904 Quebec, Inc. by Raymond Houle, Manager  
MANAGER, NLG LLC

Darlus A. Marzec  
Notary Public State of New York  
No. 02MA6186309  
Qualified in Queens County  
Commission Expires 04/28/2012

NOTARY PUBLIC

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

Index No. 1d 875/12

9197-5904 Quebec, Inc.,

**Plaintiff,**

**against**

NLG, LLC,

**Defendant.**

**AFFIDAVIT OF  
RAYMOND HOULE  
REGARDING FACTS  
SUPPORTING  
JUDGMENT**

**STATE OF NEW YORK**

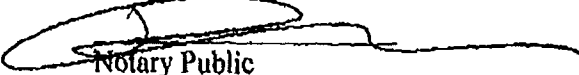
**COUNTY OF NEW YORK ss.:**

Raymond Houle, being duly sworn, deposes and says; that deponent is the Manager and duly authorized agent of the defendant Limited Liability Company and is duly authorized to make this Affidavit on behalf of the LLC defendant herein.

This confession of judgment is for a debt justly due to the plaintiff arising from the following facts: Defendant has consistently abused its legal position by filing frivolous litigation documents, affidavits, pleadings, and motions, in and without the state, misrepresenting the truth concerning key facts regarding the mode of operation, personnel, employees, corporate documents and status of defendant; Defendant has failed to abide by rules of court with respect to discovery, disclosures and subpoena power of the court and counsel, and has made litigation process difficult, wasteful, and expensive to adversary/ies. All actions of Defendant constitute abuse of process and fraud upon the court and parties involved, who were unduly damaged by such fraudulent conduct and abuse of process by Defendant. The conduct of Defendant was intentional and malicious and calculated to cause additional expense, delay and harassment to defendant's adversaries; such conduct was illegal, improper, unethical and unnecessary to the administration of justice and process in these matters, giving Plaintiff a cause of action.

  
RAYMOND HOULE

Sworn to before me on the 21 day of February, 2012.

  
Notary Public

~~Darius A. Marzec  
Notary Public State of New York  
No. 02MA6186309  
Qualified in Queens County  
Commission Expires 04/28/20~~

Darius A. Marzec  
Notary Public State of New York  
No. 02MA6186309  
Qualified in Queens County  
Commission Expires 04/28/2012

**FILED**  
FEB 22 2012  
COUNTY CLERK'S OFFICE  
NEW YORK

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

Index No.

9197-5904 Quebec, Inc.,

Plaintiff,

against

NLG, LLC., A DELAWARE LIMITED LIABILITY  
COMPANY,

Defendant.

**JUDGMENT BY CONFESSION  
AFFIDAVIT OF JUDGMENT BY CONFESSION**

**ATTORNEYS FOR PLAINTIFF**

Marzec Law Firm, P.C.  
Darius A. Marzec, Esq.  
225 Broadway, Suite 3000  
New York, NY 10007  
212-267-0200

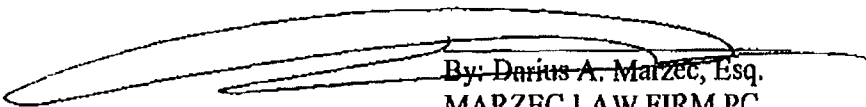
**FILED AND  
DOCKETED**

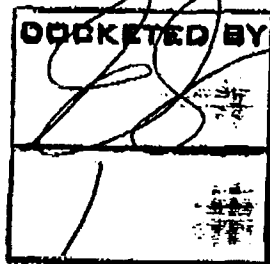
FEB 22 2012

AT 10:25 A M  
N.Y., CO. CLK'S OFFICE

**CERTIFICATION**

Pursuant to Section 130-1.1, the following documents are hereby certified:

By:  Darius A. Marzec, Esq.  
MARZEC LAW FIRM PC  
Attorneys for Plaintiff  
225 Broadway, Ste. 3000  
New York, NY 10007  
(212) 267-0200



# Exhibit 3

Ramirez v. Selective Advisors NY Court Order

**SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY**

**PRESENT: HON. ANDREW BORROK**

**PART**

**IAS MOTION 53EFM**

*Justice*

-----X

RAMIREZ, JR., JUAN

Petitioner,

- v -

SELECTIVE ADVISORS GROUP, LLC

Respondent.

-----X

**INDEX NO.** 654670/2020

**MOTION DATE** 11/09/2020

**MOTION SEQ. NO.** 002

**DECISION + ORDER ON  
MOTION**

The following e-filed documents, listed by NYSCEF document number (Motion 002) 18, 19, 20, 22 were read on this motion to/for JUDGMENT - DEFAULT.

Juan Ramirez, Jr. (the **Petitioner**) filed this petition on September 23, 2020 pursuant to CPLR §§ 3001, 3218, and 5015 to declare void, vacate, set aside and/or strike a certain judgment by confession *nunc pro tunc* to date of entry recorded on February 22, 2012 in the action captioned, *9197-5904 Quebec, Inc. v. NLG, LLC*, Index No. 2012- 101875 (NYSCEF Doc. No. 1).

Selective Advisors Group, LLC (the **Respondent**) was served with the petition on September 25, 2020 (NYSCEF Doc. No. 17). The Respondent did not respond.

The Petitioner subsequently filed the instant motion for default judgment on November 5, 2020 and served the Respondent on November 9, 2020 (NYSCEF Doc. No. 22). The Respondent did not respond. Accordingly, the Petitioner's motion for a default judgment is granted as unopposed.

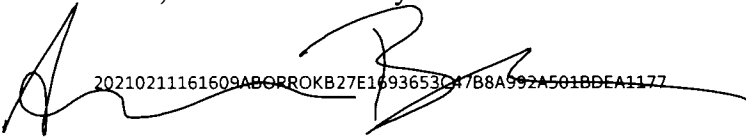


Accordingly, it is

ORDERED that the Petitioner's motion for default judgment is granted as unopposed; and it is further

ADJUDGED and DECLARED that the Judgment by Confession for \$5,000,225.00 in the case captioned as 9197-5904 Quebec, Inc. v. NLG, LLC entered under Index No. 101875-2012 in the Supreme Court of New York, New York County on February 22, 2012, and assigned to Selective Advisors Group, LLC on June 17, 2014 is *void ab initio* and hereby vacated, set aside and stricken from the public records, *nunc pro tunc* to date of entry as it was entered without jurisdiction, without service of process, without any due process, and collusive as the affidavit confessing the judgment was signed by the President of the Plaintiff corporation; and it is further

ORDERED that Clerk of the Supreme Court of New York for New York County is hereby ordered to vacate, strike and set aside from the public records the Judgment by Confession in the case captioned as 9197-5904 Quebec, Inc. v. NLG, LLC, and assigned to Selective Advisors Group, LLC on June 17, 2014, *nunc pro tunc* to date of entry to February 22, 2012 entered under Index No. 101875-2012 in the Supreme Court of New York, New York County.

<u>2/11/2021</u> DATE		 20210211161609ABORROKB27E1693653C47B8A992A501BDEA1177 ANDREW BORROK, J.S.C.	
CHECK ONE:	<input checked="" type="checkbox"/> CASE DISPOSED	<input type="checkbox"/> NON-FINAL DISPOSITION	
	<input checked="" type="checkbox"/> GRANTED <input type="checkbox"/> DENIED	<input type="checkbox"/> GRANTED IN PART	<input type="checkbox"/> OTHER
APPLICATION:	<input type="checkbox"/> SETTLE ORDER	<input type="checkbox"/> SUBMIT ORDER	
CHECK IF APPROPRIATE:	<input type="checkbox"/> INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/> FIDUCIARY APPOINTMENT	<input type="checkbox"/> REFERENCE